



File Code: 1920
Date: April 12, 2019

Dear Friend of the Ozark-St. Francis National Forests:

The Ozark-St. Francis National Forests Land and Resource Management Plan (Forest Plan) was revised in September 2005. The Forests are proposing a plan amendment to the Forest Plan following the direction in the 2012 Planning Rule (36 CFR 219). The purpose of the plan amendment is to update bat conservation practices in the Forests, with a focus on the Indiana bat.

The project area for the plan amendment and associated Environmental Assessment includes all National Forest lands throughout the Ozark-St. Francis National Forests covered by our Forest Plan. The following information is provided to allow you an opportunity to review and comment on this proposal. Instructions on how to do so are provided in the "How to Submit Comments" section below. This scoping letter is also being sent as an early notification in compliance with public involvement requirements of Section 106 of the National Historic Preservation Act.

You can subscribe to this project and find additional project information on the project web site at: <https://www.fs.usda.gov/project/?project=55628>.

Purpose and Need for Action

Based on recent scientific monitoring and data collection, the Forests have a need to establish more targeted protective measures for threatened, endangered and sensitive (TE&S) bat species, including the Indiana bat, and their habitats. The purpose of updating these protections is to support expanded forest ecosystem improvement efforts that are needed to contribute to the recovery of the species. To accomplish this, the Forest Plan direction needs to be updated.

New Scientific Information

Information collected through mist-netting and radio-telemetry on the Forests has provided more detailed information on the habitat utilization patterns compared to what was available during the consultation on the 2005 Forest Plan. The data indicates that TE&S bats are utilizing the habitat improved by the restoration management practices, such as thinning, regeneration harvest, and prescribed fire, conducted on the Forests. The Forests have a need to amend the Forest Plan to modify timing and seasonal restrictions for tree cutting and prescribed burning in the Indiana bat zones to focus protections on areas determined to have higher bat usage.

The applicable Plan standards, as they are currently written, include:

- FW48: Optimal overstory density within the secondary zone around Indiana bat hibernacula is a range of 50 to 70 percent canopy closure. Use timber harvest, non-commercial thinning, and prescribed fire as needed to regulate and maintain this optimal density. During normal order of entry for compartments within Indiana bat secondary conservation zones, do



landscape scale analysis of existing forest stand conditions. This analysis should be used to determine commercial and non-commercial treatments needed to shift percent canopy closure toward the optimal overstory density. The long-term goal of treatments is to adjust canopy closure so that 80 to 90 percent of the primary conservation zone is within the 50 to 70 percent canopy closure range. This will not be fully accomplished during this planning period. Annually report canopy cover adjustments accomplished with commercial and non-commercial treatments within Indiana bat conservation zones to the Arkansas Field Office, USFWS. When designating trees to be cut to regulate overstory density, two approaches are recommended for equating canopy density to target leave basal area. A simple rule of thumb is to use site index minus 10 as the target leave basal area. Another option is the use of canopy density/basal area conversion charts defined by tree diameter classes.

- FW52: Prescribed burn plans for areas containing caves or for areas near significant caves or mines will identify these sites as smoke sensitive targets. The prescribed burn plans will be written to avoid active combustion and smoldering phase smoke from entering these sites when bats are present.
- FW64: Project specific informal consultation will be done for all activities proposed within primary conservation zones. No disturbance that will result in potential taking of an Indiana bat will occur.
- FW66: Tree cutting and prescribed fires are prohibited in the primary and secondary Indiana bat zones between May 1* and November 30. Adjustments to these dates may be made on a project-specific basis through coordination with the Arkansas Field Office, USFWS. Site-specific inventories are good for two calendar years from the date of survey completion.
 - * Under agreement with USFWS, this standard has been implemented as a timing restriction from April 1 to November 30 to better address times when bats would be present.
- FW67: Tree cutting and salvage operations can occur between December 1 and March 15 without a site-specific inventory. Additional coordination with USFWS is not required.
- FW69: In the secondary zone buffer around Indiana bat hibernacula, live trees or snags, buildings, and other structures known to have been used as roosts by Indiana bats are protected from cutting and/or modification until they are no longer suitable as roost trees, unless their cutting or modification is needed to protect public or employee safety. Where roost tree cutting or modification is deemed necessary, it occurs only after consultation with the USFWS.
- FW71: A 200-foot buffer of undisturbed forest will be maintained around gray bat maternity and hibernation colony sites, Ozark big-eared bat maternity sites, bachelor sites, or winter colony sites. Prohibited activities within this buffer include cutting of overstory vegetation; construction of roads, trails, or wildlife openings or development of pastures; and prescribed burning. Exceptions may be made where coordination with USFWS determines these activities to be compatible with recovery of these species.
- Forest Plan Appendix F, Vegetation Management Practices, Silvicultural Treatment #110 Indiana Bat: The purpose of this prescription is to maintain or enhance the habitat for the Indiana Bats. Commercial thin on a regular basis to 30 ft² of BA per acre and harvest at 140 to 160 yrs. with a 2-step shelterwood. In the first phase of the shelterwood, remove 70 percent of the overstory. In the second phase, remove the remaining overstory. Follow guidelines set forth in the FW standards for Indiana Bat management. Begin prescribed burning in these areas and repeat on a 3- to 5-year schedule. Following the shelterwood harvest, adequate oak regeneration should be present to re-stock the stand with 300+

trees/acre. Delay burning in the regenerated stand for 10 years to give the oaks time to become established. Upon regeneration establishment, resume burning and commercial thinning.

Proposed Action

The Ozark-St. Francis National Forests is proposing to modify some existing management direction in the Forest Plan. This amendment would include:

1. Removal or rewording of the plan standards listed above, and addition of new plan standards as applicable
2. Using the best available scientific information to update the management direction
3. Updating some of the applicable definitions

This decision would amend the Forest Plan relating to the identified TE&S bat protective measures. Other standards or prescriptions related to this topic in the Forest Plan could be considered in this amendment if updates are found to be warranted during the process.

NFMA Requirements

The 2012 Planning Rule requires the notification of which of the substantive rule requirements for sustainability, plant and animal diversity, multiple uses, and timber (36 CFR 219.8-219.11) are likely to be directly related to the plan direction being changed by the amendment. A specific substantive requirement is “directly related” to the amendment based on the purpose of the amendment, and if the National Environmental Policy Act (NEPA) documentation reveals substantial adverse effects associated with the requirement; or the amendment would substantially lessen protections for a specific resource or use. For this plan amendment, the requirements relating to the diversity of plant and animal communities (36 CFR 219.9) are the rule requirements that are likely to be directly related to the plan direction being changed.

Decision to be Made

The Responsible Official for this plan amendment will be the Forest Supervisor for the Ozark-St. Francis National Forests. In this decision, I will answer the following questions:

- Will the proposed amendment proceed as proposed, as modified by an alternative, or not at all?
- Are there any substantial adverse effects associated the proposed amendment or would there be any substantial lessening of resource protections?
- Will any additional conservation measures and/or monitoring requirements be needed?

How to Comment

Written comments should be within the scope of the proposed action, have a direct relationship to the proposed action, and must include supporting reasons for the Responsible Official to consider. It is the responsibility of all individuals and organizations to ensure that their comments are received in a timely manner. While comments will be accepted any time during the process, to establish standing for objection eligibility, this designated opportunity for comment is 30 days from the publication of the legal notice in the Forest newspaper of record, *The Courier* in Russellville, Arkansas.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on the proposed action and will be

available for public inspection. Comments submitted anonymously will be accepted and considered; however, anonymous comments will not provide the agency with the ability to provide the respondent with subsequent environmental documents or standing for administrative review. A 30-day Notice and Comment period will also be provided at a future date on the Draft Environmental Assessment and Plan Amendment (36 CFR 219.16(a)(2)).

In order to identify issues resulting from this proposal and better assess its effects, I would appreciate your specific written scoping comments and/or concerns sent to: Forest Coordinator, 605 W. Main Street, Russellville, AR 72801. Hand-delivered written comments must be delivered during business hours of 8:00 am to 4:30 pm, Monday-Friday at any of the Forests' Ranger District offices or at the Supervisor's Office. Responses may be mailed electronically to our office, in a common digital format, at comments-southern-ozark-stfrancis@fs.fed.us. Please state "Plan Amendment and EA" in the subject line when providing electronic responses, or on the envelope when replying by mail.

The Forest is planning two open house style meetings to discuss with interested members of the public ideas and/or concerns for the project. These meetings will be held at the Supervisor's Office of the Ozark-St. Francis National Forests, 605 W. Main Street, Russellville, Arkansas 72801. Dates and times for these meetings are as follows:

- **Friday, May 3, 2019, 2:00pm to 5:00pm**
- **Saturday, May 4, 2019, 10:00am to 1:00pm**

To participate, please come during the times listed above, and you will be able to speak with our subject matter experts about Forest resources, species, monitoring, and the NEPA and plan amendment process.

This decision will be subject to the objection procedures identified in 36 CFR 219, subpart B. For objection eligibility (36 CFR 219.53), only those who have submitted timely, specific written comments during any designated opportunity for public comment may file an objection. Issues to be raised in objections must be based on previously submitted specific written comments regarding the proposed project and attributed to the objector, unless the issue is based on new information that arose after a designated opportunity to comment (36 CFR 219.53(a)).

Additional project information and updates, which will also be posted on the National Forest project website mentioned above, may be obtained by contacting Amy Burt at the Supervisor's Office in Russellville, Arkansas by phone at 479-964-7282 or by email at amy.burt@usda.gov. If you prefer to receive project information in an electronic format, please provide your email address to Amy Burt to receive project updates and information electronically in the future.

Sincerely,



TIMOTHY E. JONES
Acting Forest Supervisor

Enclosure